

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GABINO GENAO,

Plaintiff

– against –

CITY OF NEW YORK, ALLEYNE, MASONI, ET.AL

Defendant  
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**MEMO ENDORSED.**

2020-CV- 10573

**MOTION FOR RECONSIDERATION OF THE APPOINTMENT OF COUNSEL**

I submitted a Motion for Appointment of Counsel. Your Honor granted it in part for the purpose of deposition. In my motion filed I stated numerous reasons as to why I needed a Pro Bono counsel, to which the court only considered (1).

I request that the court reconsider granting my motion for assistance of counsel in full for the following reasons.

1. I have limited knowledge of the law
2. The details of this case are too complex beyond my understanding
3. For the purpose of depositions
4. I have been granted Informa Pauperis

Stated herein I respectfully request the court to reconsider its position.

April 25, 2022

Gabino Genao- 22B1480  
PO Box 500  
Elmira, NY 14901

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GABINO GENAO,

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– against –

2020-CV- 10573

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**DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION  
FOR THE APPOINTMENT OF COUNSEL**

GABINO GENAO states:

1. I am the plaintiff on the above-entitled case. I make this declaration in support of my motion for this appointment of counsel.
  2. This is a complex case because it contains several different legal claims, with each claim involving a different set of defendants.
  3. The case involves medical issues that may require expert testimony.
  4. The plaintiff has demanded a jury trial.
  5. The case will require discovery of documents and depositions of a number of witnesses.
  6. The testimony will be in sharp conflict, since the plaintiff alleges that the defendants assaulted him, while the defendants in their disciplinary reports asserted that he assaulted them.
  7. The plaintiff has only a high school education and has no legal education.
  8. As set forth in the Memorandum of Law submitted with this motion, these facts, along with the legal merit of plaintiff's claims, support the appointment of counsel to represent the plaintiff.
- WHEREFORE, the plaintiff's motion for appointment of counsel should be granted.  
Pursuant to 28 U.S.C § 1746, I declare under penalty of perjury that the foregoing is true and correct.

April 25, 2022

Gabino Genao- 22B1480  
PO Box 500  
Elmira, NY 14901

Application **DENIED** without prejudice.

The Clerk of Court is respectfully directed to close ECF 99 and to serve a copy of this Order on the pro se Plaintiff.

**SO ORDERED.**



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Ona T. Wang  
U.S.M.J.

4/29/22